

MINUTES OF THE LAFAYETTE COMMON COUNCIL
APRIL 6, 1998
REGULAR SESSION

The Common Council of the City of Lafayette, Indiana met in Regular Session on Monday, April 6, 1998, at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Alting called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Boehning, Meyer, Probasco, Campbell, Downie, Rhoda, Fisher, Smith, Alting

Absent: None

Councilman Campbell moved to recess for a Public Hearing on Ordinance 98-14, Councilman Probasco seconded. The Motion to recess passed by unanimous Voice Vote. There was no comment on Ordinance 98-14. Councilman Campbell moved to conduct a Public Hearing on Ordinance 98-15, Councilman Probasco seconded. The Motion passed by unanimous Voice Vote. Donald Ferris, 1316 N. Salisbury, West Lafayette, and Sandy Lahr, 822 Kossuth Street, spoke in favor of Ordinance 98-15. Councilman Campbell moved to reconvene the Regular Meeting, Councilman Meyer seconded. The Motion to reconvene the meeting passed by unanimous Voice Vote.

Councilman Downie moved to approve the Minutes from the March 2, 1998 Regular Meeting of Common Council, Councilman Rhoda seconded. Councilman Probasco stated that on page 2, second paragraph, Assessor should be Trustee, and he moved to amend the Minutes, Councilman Campbell seconded. The correction was accepted by unanimous Voice Vote. The corrected Minutes of the March 2, 1998 Regular Meeting were approved by unanimous Voice Vote.

Councilman Probasco moved to approve the Minutes of the March 5, 1998 Special Meeting, Councilman Fisher seconded. The Minutes of the March 5, 1998 Special Meeting were approved by unanimous Voice Vote.

The Clerk stated that there were no Presentations or Disposal of Claims or Presentations of Petitions or Communications.

The Clerk stated that the following reports are available in the Clerk's Office:

Clerk's Office Monthly Report – February 1998

Controller's Monthly - February 1998

Miscellaneous Monthly Department Reports

The Clerk read Ordinance 98-13 (An Ordinance Establishing Rates and Charges for the Use of and Services Rendered by the Waterworks Utility of the City of Lafayette, Indiana) by title only for second and final reading. Councilman Boehning moved for passage, Councilman Smith seconded. Nicholas Kile, Barnes and Thornburg, updated the Common Council on the status of the rate increase request before the Indiana Utility Regulatory Commission. Mr. Kile stated that there should be a final decision by mid-June or July. Ordinance 98-13 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-14 (An Ordinance Appropriating Money for the Purpose of Defraying the Expenses of Issues Concerning Parking for the City of Lafayette, Indiana) by title only for second and final reading. Councilman Campbell moved for passage, Councilman Fisher seconded. Sherry McLauchlan explained that this part of the budget was inadvertently omitted during the budget process. Councilman

Meyer asked if the Downtown Business Center revenues were affected, Sherry stated that they were not part of this budget. Ordinance 98-14 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-15 (An Amendment to Ordinance 93-18 Establishing a Local South 3rd Street Historic District in the City of Lafayette, Indiana) by title only for second and final reading. Councilman Probasco moved for passage, Councilman Meyer seconded. Donald Ferris stated that he would be happy to answer any questions. Councilman Probasco thanked Mr. Ferris for his all of his efforts in establishing the historic district. Ordinance 98-15 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-16 (An Amendment to Ordinance 95-22 Inclusion of Certain Property in the Local Ninth Street Hill Historic District in the City of Lafayette, Indiana) by title only for second and final reading. Councilman Boehning moved for passage, Councilman Downie seconded. Sandy Lahr, representing the Ninth Street Hill Association and Historic Review Board, stated that she was encouraged to see additions to the historic districts and expressed her support for the Ordinance. Ordinance 98-16 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-17 (An Ordinance Transferring Money Within the Fire Department Budget) by title only for first reading. Councilman Fisher moved for passage, Councilman Smith seconded. Bill Yazbec, City Controller, requested the transfer of money within the fire department budget. Ordinance 98-17 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-18 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate from I-3 to GB, JD Byrider Systems, Inc. Petitioner) by title only for first and final reading. Councilman Rhoda moved for passage, Councilman Downie seconded. Mark DeYoung, representing the petitioner, explained the proposal to rezone property for expansion of the current used car business on the property. Councilman Fisher asked if the property included the driveway for Egyptian Lacquer. Mr. DeYoung stated that the driveway is included and most traffic for Egyptian Lacquer will be diverted to another entrance on Kossuth Street. Councilman Meyer asked if the Engineer was consulted about traffic issues. Mr. DeYoung stated that this project would not adversely affect traffic on Kossuth Street or US 52. Ordinance 98-18 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-19 (An Ordinance Amending Chapters 1, 4, and 6 of Ordinance 97-51CM Being the Unified Zoning Ordinance of Tippecanoe County) by title only for first and final reading. Councilman Downie moved for passage, Councilman Rhoda seconded. Councilman Rhoda explained the proposal. Councilman Boehning stated that clarification needs to be made on the distance of the erection of signs in residential areas. Councilman Fisher stated that the outdoor advertising for portable signs is not included in this amendment and he is pleased that it is not included. Ordinance 98-19 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-20 (An Ordinance to Vacate a Public Way in the City of Lafayette, Egyptian Lacquer Manufacturing Company, Petitioner) by title only for first reading. Councilman Meyer moved for passage, Councilman Fisher seconded. Mr. DeYoung, representing the petitioner, explained the proposal for a street vacation of Hamman Street. Mr. DeYoung stated that the Engineer's Office has reviewed the proposal. Mr. DeYoung stated that all adjoining landowners will be notified and a public hearing will need to be set for the May Common Council meeting. Councilman Campbell asked if compensation should be requested for this property. Mr. DeYoung explained that this property was previously turned over to the city with no exchange of dollars and the City of Lafayette has not improved it. Councilman Fisher asked if Egyptian Lacquer was currently utilizing the street with any structures. Mr. DeYoung stated that there were not structures located on the street. Mr. DeYoung further stated that there would be easements granted to the city. Councilman Rhoda asked City Engineer Opal Kuhl if there were any comments from the Engineer's office. Ms. Kuhl stated that the easements had been discussed and will be granted by Egyptian Lacquer. Ordinance 98-20 passed 8-0 on a roll call vote. Councilman Meyer moved to set a Public Hearing for Ordinance 98-20 on May 11, 1998 at 7:01 p.m., Councilman Smith seconded. The Motion to set a Public Hearing passed by unanimous Voice Vote.

The Clerk read Ordinance 98-21 (An Ordinance to Vacate a Public Way in the City of Lafayette, Kossuth Baptist Church, Petitioner) by title only for first reading. Councilman Meyer moved for passage, Councilman Rhoda seconded. Joseph Bumbleburg, representing the petitioner, explained the proposal to expand the Kossuth Baptist Church sanctuary, and the request to vacate an alley. Mr. Bumbleburg stated that the City of Lafayette has made little or no improvements to the alley. Mr. Bumbleburg stated that the Church is committed to staying in the neighborhood. Councilman Smith asked how many homes were to be demolished in the future. Pastor Whipple, from the Kossuth Street Baptist Church, stated that 5 homes would be moved or demolished. Councilman Smith stated that he was concerned about the destruction of affordable homes in the city. Discussion on acquiring properties ensued. Councilman Fisher stated that churches are anchors to neighborhoods and should be preserved. Ordinance 98-21 passed 8-0 on a roll call vote. Councilman Campbell moved to set a Public Hearing for Ordinance 98-21 on May 11, 1998 at 7:02 p.m., Councilman Rhoda seconded. The Motion to set a Public Hearing passed by unanimous Voice Vote

The Clerk read Ordinance 98-22 (An Ordinance of the City of Lafayette, Indiana Concerning Park Improvements by the Lafayette Park and Recreation Board Through the Issuance and Sale of Bonds, and Other Matters Connected Therewith) by title only for first reading. Councilman Rhoda moved for passage, Councilman Smith seconded. Vicki Mayes, Park Superintendent, explained the proposal to rejuvenate Columbian Park and requested Council support. Councilman Downie asked what type of bond was being requested. Ms. Mayes stated that it was a park General Obligation bond. Councilman Meyer asked what was being done with the trees being moved in Columbian Park. Ms. Mayes stated that the trees were being moved at a time when the trees have the best chance of surviving. Councilman Campbell asked if this was the maximum bonding authority of the park, and Ms. Mayes stated that it was not. Ordinance 98-22 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-23 (An Ordinance to Amend Ordinance 97-22, being the 1998 Salary Schedule, for the Park Department) by title only for first reading. Councilman Rhoda moved for passage, Councilman Fisher seconded. Ms. Mayes explained that there is a need to make the Park Department more efficient, recognize changing needs, and to reorganize. Ms. Mayes stated that the Park Department and Park Board worked with the city administration and human resources to structure the reorganization. Ms. Mayes pointed out that this proposal does not increase the total salary line or the budget as authorized by Council. Councilman Campbell asked for an explanation for the increases. Ms. Mayes stated that the proposal does not necessarily ensure increases but rather establishes competitive ranges for those positions. Councilman Campbell asked if it was more appropriate at budget time. Ms. Mayes stated that the needs of the Park Department had not yet been established at budget time since the visioning process was not complete. Councilman Meyer asked how dollars were found in current budget. Ms. Mayes explained the combination of factors that created the ability to fund these positions. Councilman Downie asked if there would be substantial changes to McAllister programs. Ms. Mayes stated that this proposal would improve the overall needs of each program within the Park Department. Councilman Fisher stated that State Law does not allow spending more than appropriated. Councilman Rhoda stated that he would like to suspend the rules to hear the Ordinance on second reading. Ordinance 98-23 passed 8-0 on a roll call vote. Councilman Rhoda moved to suspend the rules to hear Ordinance 98-23 on second and final reading, Councilman Smith seconded. Councilman Campbell asked for an explanation for suspending the rules. Councilman Rhoda stated that the Mayor had requested that the Ordinance be considered two times and that the park will be fully operational soon. The Motion to suspend the rules to hear Ordinance 98-23 on second and final reading passed 8-0 on a roll call vote.

Councilman Boehning moved to hear Ordinance 98-23 on second and final reading, Councilman Rhoda seconded. Ordinance 98-23 passed 8-0 on a roll call vote on second and final reading

The Clerk read Ordinance 98-24 (An Ordinance Amending the 1998 Salary Ordinance to Create the Position of Emergency Medical Services Coordinator in the Fire Department) by title only for first reading. Councilman Fisher moved for passage, Councilman Probasco seconded. Fire Chief Jeff McCoy explained the proposal to amend the salary ordinance to create a position of Emergency Medical Services Coordinator. Councilman Campbell asked about current training on emergency medical services and asked if there were any dollars available in the community to assist in these services. Chief McCoy stated that there are grants that have been utilized to assist in equipment purchases. Councilman Smith asked how many assistant chiefs were currently

funded and Chief McCoy indicated that there are five and this proposal would create the sixth assistant. Ordinance 98-24 passed 8-0 on a roll call vote. Councilman Campbell moved for suspension of the rules to hear Ordinance 98-24 on second and final reading, Councilman Probasco seconded. The Motion to suspend the rules to hear Ordinance 98-24 on second and final reading passed 8-0 on a roll call vote.

Councilman Smith moved to hear Ordinance 98-24 on second and final reading, Councilman Fisher seconded. Ordinance 98-24 passed 8-0 on roll call vote on second and final reading.

The Clerk read Resolution 98-7 (A Resolution Requesting the Area Plan Commission of Tippecanoe County to Perform a Land Usage Survey) by title only for first reading. Councilman Downie moved for passage, Councilman Rhoda seconded. Councilman Downie encouraged Council support. Bob Carpenter, a member of group requesting the proposal, encouraged Council support. Resolution 98-7 passed 8-0 on a roll call vote.

Reports of Standing Committees: Councilman Probasco stated that the Ordinance that created the Historic District Review Board would be reviewed and a meeting will be scheduled and posted. Councilman Probasco stated that the Board has worked very well.

Reports of Special Committees: President Alting stated that the Mayor has requested a Council appointment to the Humane Society Task Force, and recommend that Councilman Probasco be appointed to serve on the task force. The recommendation passed by unanimous Voice Vote. President Alting stated that an appointment needed to be made to the Appeal Board of the Historic District Review Board. Councilman Probasco moved to appoint Councilman Fisher, Councilman Rhoda seconded. The Motion passed by unanimous Voice Vote.

Report by the Mayor: Mayor Heath reported that the Chamber of Commerce trip to Washington DC was successful and that \$29.4 million is currently in the house bill. Mayor Heath stressed the need to accelerate the project since train traffic through Lafayette is increasing. The Mayor thanked the Councilmen for their support for Park Department master plan. Mayor Heath reported that the Park Department would keep the old pool open as long as possible during the summer of 1998. Councilman Campbell asked about political sign placement in the public right of way and how to stop the activities. Mayor Heath stated that the city attorney would look into it. Councilman Meyer recommended that a letter be sent to party leaders to discourage this activity.

Council Comment: Councilman Campbell commended Councilman Probasco on handling the Special Meeting on March 23, 1998 on the Tippecanoe County Landfill. Councilman Rhoda stated that the APC staff will be reviewing the zoning maps in Lafayette and that the Councilmen will be notified of the meetings. Councilman Meyer commended Central Catholic on their men's state basketball championship and stated that he will properly recognize them at the next Council Meeting. Councilman Fisher encouraged a review of the compliance with statement of benefits forms that have been filed which show positive impact on community. Councilman Smith reported that his son is being recognized at an awards banquet and will not be able to attend Caucus on May 6, 1998. President Alting introduced and welcomed Joanne Willis, the new appointment to the Park Board.

There was no Public Comment.

There being no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Smith seconded. The Motion passed by unanimous Voice Vote. Time being 8:29 p.m..

Minutes prepared by Lisa Decker, City Clerk.